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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,038	08/29/2003	Katsuyuki Sakai	086142-0575	8515

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EXAMINER	
ROSENBERG, LAURA B	
ART UNIT	**PAPER NUMBER**
3616	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/651,038	SAKAI ET AL.	
	Examiner	Art Unit	
	Laura B. Rosenberg	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/24/04; 8/29/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4-6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto (JP05-229378). Yamamoto discloses an occupant protection system (best seen in figure 1-4) comprising:

- Seat pan (including #20) mounted to a seat frame below a seat cushion (including #12)
- Inflatable airbag (including #30) arranged above the seat pan (best seen in figure 1) and able to inflate above an upper surface of the seat pan to push the front section of the seat cushion from below (best seen in figure 3)
- Gas generator (including #26) able to inflate the airbag in an emergency
- Airbag and gas generator are mounted to the seat pan (best seen in figure 1)
- Airbag extends along the width direction of the seat pan, opposite ends of the air bag being connected to the seat pan (best seen in figures 2, 4)
- Gas generator being arranged along lower surface of the seat pan (see figures 1, 3)

3. Claims 1, 2, 3, and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi (JP2002-79862). Kobayashi discloses an occupant protection system (best seen in figures 2, 3) comprising:

- Seat pan (including #8) mounted to a seat frame below a seat cushion (including #5)
- Inflatable airbag (including #13) arranged above the seat pan (best seen in figure 3) and able to inflate above an upper surface of the seat pan to push the front section of the seat cushion from below (can be seen in figure 7)
- Gas generator (including #21) able to inflate the airbag in an emergency
- Airbag and gas generator are mounted to the seat pan (best seen in figure 3)
- Airbag extends along the width direction of the seat pan, opposite ends of the air bag being connected to the seat pan (best seen in figures 1, 4)
- Gas generator being arranged along upper surface of the seat pan (best seen in figure 3)

4. Claims 1, 2, 3, and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakano (JP10-217818). Nakano discloses an occupant protection system (best seen in figures 1-3) comprising:

- Seat pan (including #3) mounted to a seat frame below a seat cushion (including #2)
- Inflatable airbag (including #12) arranged above the seat pan (best seen in figures 1a, 2) and able to inflate above an upper surface of the seat pan to push the front section of the seat cushion from below (best seen in figure 3)
- Gas generator (including #13) able to inflate the airbag in an emergency

- Airbag and gas generator are mounted to the seat pan (best seen in figures 1-3)
- Airbag extends along the width direction of the seat pan, opposite ends of the air bag being connected to the seat pan (best seen in figure 1b)
- Gas generator being arranged along the upper surface of the seat pan (best seen in figures 1-3)
- Upper surface of seat pan includes a recessed area (including #10) and the gas generator is arranged in the recessed area (best seen in figures 1-3)

5. Claims 1, 2, 4-6, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Reynolds et al. (US6,682,141). Reynolds et al. disclose an occupant protection system (best seen in figures 2, 3) comprising:

- Seat pan (including #32) mounted to a seat frame (including #26) below a seat cushion (including #24)
- Inflatable airbag (including #30) arranged above the seat pan (best seen in figure 2) and able to inflate above an upper surface of the seat pan to push the front section of the seat cushion from below (best seen in figure 3)
- Gas generator (including #38) able to inflate the airbag in an emergency
- Airbag and gas generator are mounted to the seat pan (best seen in figures 2, 3)
- Airbag extends along the width direction of the seat pan, opposite ends of the air bag being connected to the seat pan (though a top view of the airbag is not shown, based on the movement the airbag creates against the seat cushion and its folded

and deployed positions in figure 2, 3, it is understood that the airbag is positioned in a widthwise configuration with opposite ends connected to the seat pan)

- Gas generator being arranged along the lower surface of the seat pan (best seen in figure 2)

6. Claims 1, 2, 4-6, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Saiguchi et al. (US2001/0011810). Saiguchi et al. disclose an occupant protection system (best seen in figures 34, 35) comprising:

- Seat pan (including #42, 420) mounted to a seat frame below a seat cushion (including #12)
- Inflatable airbag (including #320) arranged above the seat pan (best seen in figure 34) and able to inflate above an upper surface of the seat pan to push the front section of the seat cushion from below (shown generally in figure 5)
- Gas generator (including #380) able to inflate the airbag in an emergency
- Airbag and gas generator are mounted to the seat pan (best seen in figures 34, 35)
- Airbag extends along the width direction of the seat pan, opposite ends of the air bag being connected to the seat pan (best seen in figures 34, 35)
- Gas generator being arranged along the "lower" surface of the seat pan (best seen in figure 34)
- Seat pan includes an opening (including #422), and the gas generator is connected to the airbag via a pipe (including #430) extending form the gas generator, through the opening, and to the airbag (best seen in figures 34, 35)

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sekido et al. disclose a vehicle seat adjustment mechanism including airbag beneath the seat cushion.

Vollmer discloses a vehicle safety seat including a front seat cushion portion that moves upward in an accident situation.

Brantman et al. disclose a vehicle seat including a front seat cushion portion that moves upward in an accident situation via an airbag device located beneath the seat cushion.

Feldman discloses a vehicle crash-safety seat in which an airbag deploys in the front of a seat cushion and contacts an occupant's body.

Ruel et al. disclose a vehicle seat including an inflatable section beneath the seat cushion (including #30) that inflates to push the front section of the seat cushion from below.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura B. Rosenberg whose telephone number is (571) 272-6674. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Laura B. Rosenberg
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Patent Examiner
Art Unit 3616

LBR

8/4/05
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